

Minutes: Leesburg Planning Commission October 3, 2002

The Leesburg Planning Commission met on Thursday, October 3, 2002 at 7:00 p.m. in the Council Chambers at 25 West Market Street, Leesburg, VA. Staff members present for the meeting were Susan Swift, Randy Hodgson, Lee Phillips, Nancy Kitchens, John Johnston, Charlie Mumaw, Mac Willingham, Kaj Dentler, Bill Ference and Jennifer Moore.

CALL TO ORDER:

The meeting was called to order at 7:04 p.m.

ROLL CALL:

Present: Chairman Cliff Vaughan
Commissioner Clem
Commissioner Werner
Commissioner Hoovler
Commissioner Kennedy
Commissioner Bangert
Commissioner Dubè
Councilmember Umstatt

ADOPTION OF MINUTES:

Commissioner Kennedy made a motion to approve the minutes of September 19, 2002 as presented.

Motion: Kennedy
Second: Hoovler
Carried: 5-0-2 with Bangert and Dube
abstaining

REMARKS BY PETITIONERS

Mr. Gary Barnes of 821 South King Street, Suite B, came forward to speak in opposition to the Gods Children Learning Center application. He stated that he and the other tenants of South Gate are concerned with drop off and pick up traffic and cut-thru traffic on their property.

RECOGNITIONS:

Chairman Vaughan took a moment to welcome the Planning Commission's newest member Robert Dube, who will be taking Mr. Schonberger's seat on the Commission.

PUBLIC HEARINGS:

VARIATION REQUEST – DRY HOLLOW ROAD IMPROVEMENTS – LOUDOUN COUNTY SCHOOLS – Lee Phillips, Chief of Current Planning

Mr. Phillips gave a brief presentation regarding this application.

Mr. Evan Mohler, representative for the applicant came forward to speak and answer questions from the Commission.

Mr. Steve Hostedler and Mr. Randy Valad, representatives for the applicant also came forward to answer questions from the Commission.

Chairman Vaughan opened the public hearing.

Ms. Jennifer Whyte of 708 Chimney Court, NE came forward to speak. Ms. Whyte was concerned with the traffic that the improvements would generate and with the quality of life of the residents that live along that road. Ms. Whyte also presented the Commission with a petition from adjacent property owners who do not want the road developed.

Mr. Marty Mantell of 819 Bellview Court, NE came forward to speak. Mr. Mantell believes that the improvements to Dry Hollow Road would have little positive impact on the area and would be a waste of taxpayer money.

Mr. Misha Ptak of 712 Chimney Court, NE came forward to speak. Mr. Ptak stated that he is concerned with the fact that there are no plans for sidewalks; he believes that this is a safety hazard for children. He also believes that there should be no parking signs along the road during sporting events. Mr. Ptak stated that he is in favor of not going forward with the improvements to Dry Hollow Road.

Mr. Jamie Jancin of 112 Stoneledge Place, NE came forward to speak. Mr. Jancin was concerned with the safety of the children and traffic and would ask that the improvements not be made to Dry Hollow Road.

Ms. Martha Jones of 705 Bellview Court, NE came forward to speak. Ms. Jones stated that she is in favor of improving the road. She stated that the safety of the children should be the number one priority and the improvements of the road can only increase the safety of the children.

Minutes: Leesburg Planning Commission October 3, 2002

Ms. Kristin Abbott of 825 Bellview Court, NE came forward to speak. Ms. Abbott stated that this road should only be improved so that emergency access can be obtained.

Mr. Brian Hicks of 813 Bellview Court, NE came forward to speak. Mr. Hicks stated that he is not in favor of the road improvements. He also requested a sign at Dry Hollow Road and Rt. 15 stating that Dry Hollow Road is a dead end in the hopes that it would lessen some of the traffic.

Mr. Tim McKibben of 824 Bellview Court, NE came forward to speak. Mr. McKibben stated that Dry Hollow Road should only be used for emergency access and that should be the only improvements made to the road.

Ms. Nancy Weidenhamer of 706 Chadfield Way came forward to speak. Ms. Weidenhamer stated that she believes that road needs to be improved for the safety of the children. She stated that there is not enough room on the road to meet another car safely.

Ms. Annie Hulen of 708 Amber Court, NE came forward to speak. Ms. Hulen stated that she would like the Commission to look at other alternatives to the ones proposed by the staff and the schools.

Mr. Randy Minchew, representative for Nancy O'Connor came forward to speak. Mr. Minchew stated that he had been representing the O'Connor family for many years, yet he did not receive a call from the school system regarding this application. Mr. Minchew stated that the application filed by the school system does not meet the legal standards outlined in Section 13-91 of the Town's Subdivision Ordinance. He stated that this application creates damage to the O'Connor property and not in keeping with the Town's Ordinance. Mr. Minchew stated that this variance should not be approved.

Ms. Karen Jones of 112 Prince Street came forward to speak. She stated that the loss of the historic and rural nature of this road would be devastating to the north end of Leesburg.

There being no further comments, the public hearing was closed.

Planning Commission proceeded to ask questions of the staff and the applicant regarding the application.

Commissioner Clem asked that the Mayor recommend to the Council that they erect Dead End signs immediately at Dry Hollow Road and Route 15 to alleviate some of the traffic problems now.

Councilmember Umsatt stated that at the very least Council would have Town staff install a sign letting people know that Dry Hollow Road is a dead end street.

Minutes: Leesburg Planning Commission October 3, 2002

The Planning Commission will see this application again at its first meeting in November.

SUBDIVISION AND LAND DEVELOPMENT:

PRELIMINARY/FINAL DEVELOPMENT PLAN – IDA LEE PARK SOCCER/LACROSSE FIELD #3 – John Johnston, Senior Planner

Mr. Johnston gave a brief staff report regarding this application.

Chairman Vaughan took a moment to recognize Councilmember Zoldos who was in the audience.

Commissioner Kennedy made a motion to approve the application as submitted.

Motion: Kennedy

Second: Clem

Carried: 7-0

FIRST SUBMISSION BRIEFING – DULLES MOTOR CARS, HARVEST SQUARE LOTS 1 AND 2 – Lee Phillips, Chief of Current Planning

Mr. Phillips gave a briefed the Commission on the above plan.

ZONING

ZOAM – 2002-02 – AMENDMENT TO HOME OCCUPATION REGULATIONS FOR HIGH SPEED INTERNET PROVIDERS – Brian Boucher, Zoning Administrator

Mr. Boucher gave a brief update to the Commission regarding this application.

Mr. Boucher read a statement to be placed on the Home Occupation agreement regarding this type of use; the statement is as follows:

“I understand that as a home based wireless internet service provider I shall be responsible for complying with all federal, state and local laws regarding such business activity, including obtaining all necessary licenses. Further, I understand that the service must be provided in a manner that does not interfere with electronic devices such as, but not limited to, radios, televisions, cell phones and other telecommunication systems.”

Minutes: Leesburg Planning Commission October 3, 2002

Commissioner Kennedy made a motion to approve the application as presented by staff.

Motion: Kennedy
Second: Werner
Carried: 7-0

COMPREHENSIVE PLANNING:

SE 2002-03 – FIRST CITIZEN’S BANK – Randy Hodgson, Chief of Comprehensive Planning

Mr. Hodgson presented a brief update regarding this application.

Mr. Steve Robbins, representative for the applicant came forward to answer any questions from the Commission.

Commissioner Kennedy made a motion to approve the application subject to the seven conditions listed by staff.

Motion: Kennedy
Second: Clem
Carried: 7-0

SE 2002-02 – GOD’S CHILDREN LEARNING CENTER – Nancy Kitchens, Senior Planner

Ms. Kitchens updated the Commission on the above application.

Mr. Steve Robbins, representative for the applicant came forward to answer any questions from the Commission.

Ms. Patricia Bennett, applicant came forward to answer questions from the Planning Commission.

Commissioner Werner made a motion to approve the application as submitted by staff and to include the lighting of pathways to the business to be determined by staff.

Motion: Werner
Second: Hoovler
Carried: 6-1 with Clem voting
Nay

COUNCIL REPRESENTATIVE'S REPORT:

Councilmember Umstattd stated that she had received a call from John Kline of the Chelsea Group, the company that built the Leesburg Premium Outlet Mall. He stated that they would be applying to the Town to put in an upscale bakery/breakfast/lunch café on the sole remaining pad at the Mall.

STAFF AND COMMITTEE REPORTS:

There were no staff or committee reports.

OLD AND NEW BUSINESS:

POSSIBLE CHANGES TO THE PLANNING COMMISSION BYLAWS IN SECTIONS 1.3 AND 1.5.

Commissioner Kennedy recommended changes to the above sections of the Planning Commission Bylaws.

Motion: Kennedy
Second: Bangert
Carried: 6-1 with Werner voting
Nay

Susan Swift reported to the Commission that she is still working with the Police Department on the best way to present comments to the Commission.

ADJOURNMENT:

There being no further business the meeting adjourned at 10:50 p.m.

PREPARED BY:

APPROVED BY:

Jennifer Moore, Commission Clerk

Cliff Vaughan, Chairman